

# EXHIBIT 3 –

## Attorney Strippoli’s May 4, 2021 email to Attorney Card

---

**From:** [Strippoli, Briena \(ENRD\)](#)  
**To:** [Daniel Card](#)  
**Cc:** [Strippoli, Briena \(ENRD\)](#); [Hollingsworth, Mary \(ENRD\)](#); [Flanagan, Devon \(ENRD\)](#)  
**Subject:** US v. Lowe, 6:20-cv-00423-JFH  
**Date:** Tuesday, May 4, 2021 10:59:46 AM

---

Mr. Card:

We have been informed that another animal has died at the Lowe's Thackerville facility. To date, we have not received the disposition record for the deceased red fox. Please provide this record in accordance with the Court's Order. *See* Dkt. No. 65, p. 34 (requiring Defendants to submit to counsel for the United States any acquisition and disposition records "within 7 days of any change . . . including the birth or death of any animal.").

We have also been informed that there are three new lemur pups. Notably, the Court prohibited Defendants from breeding animals. Dkt. No. 65, p. 34. To date, we have not received acquisition records for these three lemur pups. Please also provide these records in accordance with the Court's Order. *Id.*

Finally, it has come to our attention that a red fox has been diagnosed with prostatic cancer. According to Dr. Fryer, this red fox "is not doing well" and she recommends euthanasia. Based on Dr. Fryer's veterinary assessment and recommendation, the United States does not oppose humane euthanasia of this red fox. However, pursuant to the Court's Order, Defendants will need to file a motion to seek leave of Court. Dkt. No. 65, p. 34.

Thank you for your attention to this important matter,

Briena L. Strippoli  
Trial Attorney  
Wildlife & Marine Resources Section  
Environment & Natural Resources Division  
U.S. Department of Justice  
4 Constitution Square  
150 M Street NE, Room 3.207  
Washington, DC 20002  
(202) 305-0339  
[briena.strippoli@usdoj.gov](mailto:briena.strippoli@usdoj.gov)